

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Columbia Dentistry, LLC Successor In
Interest To The Dental Team, LLC
c/o Dr. Annette I Riley
and Roy Riley Bey
421 Bush River Road Unit#5
Columbia, SC 29210

Petitioner

VS

EMMEN HOLDINGS, LLC; MADNA
HOLDINGS, LLC; NASSIMI REALITY,
LLC; EAKJV HOLDING, LLC; NASSIMI
BRICK PLAZA, INC.; NASSIMI SOHO
DEVELOPMENT, LLC; as successors in
interest and assignees of
DUTCH SQUARE LLC
c/o Atty Jonathan M. Milling
2910 Devine Street
Columbia, SC 29205
(8030 451-7700

Defendant

**“EMERGENCY”
NOTICE OF APPEAL**

STAY AND INJUNCTION

REGARDING ORDER AND EJECTMENT

DUTCH FORK

Case No. 2018-CV-40-10501044

RULE TO SHOW CAUSE

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Columbia Dentistry LLC successor to The Dental Team LLC c/o Owners, Dr. Annette I Riley and Roy Riley Bey appeared before the Dutch Fork Magistrate on March 27, 2018 to address Defendants, Application for Ejectment and Notice to Quit (Eviction). **See Exhibit A**

1. However, facts presented to the Dutch Fork Magistrate court are enclosed herein, The Dutch Fork Magistrate court is not proper venue. The matter was not a matter concerning a Landlord-Tenant Relationship dispute, but instead a matter “In Equity” concerning the interest of parties omitted from the Defendant’s Application therein. Judge Mel Maurer was reluctant and therefore failed to look at the facts concerning this matter and proceeded on his own presumption.

2. The Defendant stated in its application for ejectment therein that it is the owner of that property identified as approximately 2,714 square feet of rentable space located in Dutch Square Mall, Columbia South Carolina and commonly known as OUT5 ("the premises") also known as (421 Bush River Rd. #5, Columbia, South Carolina 29210 and/or 1727 Broad River Rd. Columbia SC 29210)
3. Plaintiffs ownership is "controversial" due to the facts on record concerning:
 - a) Misrepresentation of ownership,
 - b) Identity and/or Legal Description of the Premises in question,
 - c) Tax liability and Tax Fraud..... **See Exhibits B 1-2**
 - d) Usury
 - e) Breach of Trust
4. I, Dr. Annette I Riley Guaranteed and Secured a Lease Agreement for the Defendant, dated July 7, 2003, with first option to buy premises located at (421 Bush River Rd. #5, Columbia, South Carolina 29210 and/or 1727 Broad River Rd. Columbia SC 29210)
5. Due to some of the "controversies" stated above I was not given full disclosure and information concealed. My credit was used to secure and guarantee a deceptive practice by the Plaintiff, for the Lease Agreement of July 7, 2003 along with subsequent Amendments. Therefore, this injury has obstructed Dr. Annette I. Riley initial efforts to acquire clear title to property in 2003 and secondly denied my first right of refusal in 2008. I paid for an appraisal in 2008, of which I still have, along with the draft for sale agreement. At that time Dutch Square LLC stated that there was an issue with the easements and the building, that they had to resolve and needed a few weeks to resolve. I followed up a few weeks later and Dutch Square LLC, said that they are not selling. **This was due to the concealed fact, that Dutch Square LLC never owned the building nor had rights to lease or sell in any land lord or ownership capacity.**
6. **How can they claim ownership when and not have paid any taxes on this building? Because they don't own the building. No taxes have been paid in all the years I have been here and afore**
7. **Dutch Square LLC subsequently sold Dutch Square Center to the Defendants. I was disgruntled by this action when I was not notified only by the Defendants that they had purchased the building and put us on a month to month.**
8. **I have been defrauded out of thousands of dollars in rents and maintenance along with the \$100,000.00 I put into the demised and abandoned building that**

was a shell. I put in the walls, flooring, electrical, plumbing, fixtures and equipment to make this building a state of the art five operatory, dental office.

9. **I need to be compensated for all the building upgrades. The building was a hollow shell and I turned it into a dental office.**
10. The Defendant is not on the Last Deed of record, recorded at Richland County Registrar of Deeds Office or On Title at The Richland County Tax Assessors for parcel **TMS# 07405-09-06B**. See **Exhibit B-1 and Exhibit C**
11. A Landlord-Tenant relationship between Plaintiff and Defendant would only exist if the Defendant were who it claims to be.
12. Defendant needs to bring before the court by way of Discovery to prove. show.
 1. Ownership of Building
 2. Tax Receipt from Tax assessor's office showing tax payments since 2003.
 3. Proof of chain of title sequentially as follows **See Exhibit C**
 - Dutch Square Columbia Venture a South Carolina General Partnership to;
 - Richland Memorial Hospital to;
 - Dutch Square LLC to;
 - EMMEN HOLDINGS, LLC; MADNA, HOLDINGS, LLC; NASSIMI REALITY, LLC; EAKJV HOLDING, LLC; NASSIMI BRICK PLAZA, INC.; NASSIMI SOHO DEVELOPMENT, LLC

RELEIF SOUGHT

13. Petitioner seeks an **immediate stay and injunction** for the order from Magistrate Mel Maurer until this matter can be heard in the correct venue. This is urgent as the lower court is acting biased against Petitioners challenge, by ordering Petitioner to move a 15-year old dental center with patients, equipment and fixtures by April 2, 2018. Magistrate Mel Maurer's action are ultra vires, egregious, unconscionable, immoral and unethical to the nature of the business and factual controversies at hand. This is damaging to my goodwill and patronage established in the community. **See Exhibit D**

CEASE AND DESIST

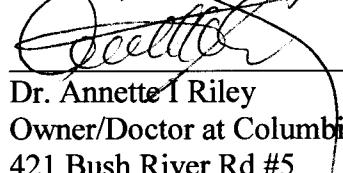
14. Dutch Square LLC, its successors and assignees are to Cease and Desist any further abusive, debt collection practices towards Columbia Dentistry LLC in care of Dr. Annette I. Riley's heirs and assigns.

CLAIM

15. Petitioner seeks compensation for improvements and maintenances of the once demised building as per mechanic's lien and/or clear title as per **Exhibit E** and **Exhibit F**.

Be Guided Accordingly

For I am,


Dr. Annette I. Riley

Owner/Doctor at Columbia Dentistry LLC
421 Bush River Rd #5
Columbia, SC 29210
(803)798 - 6333

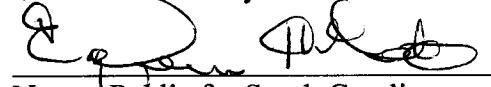
Note:

"Property in a thing consists not merely in its ownership and possession, but in the unrestricted right of use, enjoyment, and disposal. Anything which destroys any of the elements of property, to that extent, destroys the property itself. The substantial value of property lies in its use. If the right of use be denied, the value of the property is annihilated and ownership is rendered a barren right."

By; Washington State Supreme Court Justice Richard B. Sanders

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

Dr. Annette I Riley affirms as stated above before


(Seal)
Notary Public for South Carolina

Dated: 3/29/2018

My Commission expires: 8/26/2024

